

COLLEEN DUFFY SMITH (161163)
CHRISTINE PEEK (234573)
McMANIS FAULKNER & MORGAN
A Professional Corporation
50 West San Fernando Street, 10th Floor
San Jose, California 95113
Telephone: 408-279-8700
Facsimile: 408-279-3244
Email: cduffysmith@mfmllaw.com
cpeek@mfmllaw.com

Attorneys for Defendant and Cross-Complaint,
William Abend, and Petitioners and Plaintiffs,
William M. Abend and Marcia F. Abend

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

THE PEOPLE OF THE STATE OF
CALIFORNIA,

Plaintiff,

CITY OF OAKLAND, a municipal
corporation,

Plaintiff and Real Party in Interest,

vs.

WILLIAM ABEND, et al.,

Defendants.

No. C 07-02142 EMC

(Alameda County Superior Court Case Nos.
RG-06-289665 and RG-06-296229)

**STIPULATION AND JOINT REQUEST
TO CONTINUE THE JANUARY 23,
2008 CASE MANAGEMENT
CONFERENCE AND DEADLINE TO
FILE UPDATED JOINT CASE
MANAGEMENT STATEMENT;
[PROPOSED] ORDER**

[Civil Local Rule 6-2]

AND RELATED CROSS-ACTION.

WILLIAM M. ABEND AND MARCIA F.
ABEND,

Petitioners And Plaintiffs,

vs.

CITY OF OAKLAND, et al.,

Respondents And Defendants.

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2 **STIPULATION AND JOINT REQUEST**

3 WHEREAS, pursuant to the Court's Case Management and Pretrial Order for Jury Trial
4 of August 23, 2007 ("PTO"), a further case management conference has been scheduled for
5 January 23, 2008, at 2:30 p.m. before the Honorable Magistrate Judge Chen in Courtroom C,
6 15th Floor, U.S. District Court, 450 Golden Gate Avenue, San Francisco, California;

7 WHEREAS, the PTO further provides that the parties' updated joint case management
8 statement is due January 16, 2008; and

9 WHEREAS, the parties are currently engaged in settlement discussions and desire
10 additional time to finalize a settlement agreement;

11 The parties to the above-entitled consolidated action hereby stipulate, by and through
12 their respective counsel, and jointly request that the case management conference currently
13 scheduled for January 23, 2008, be continued until February 27, 2008. The parties further
14 stipulate and jointly request that the deadline to file their joint updated case management
15 statement be continued from January 16, 2008 until February 20, 2008. The parties make this
16 stipulation and joint request for the reasons stated in the Declaration of Christine Peek in Support
17 of Stipulation and Joint Request to Continue the January 23, 2008 Case Management Conference
18 and Deadline to File Updated Joint Case Management Statement, filed herewith.
19

20 DATED: January 14, 2008

McMANIS FAULKNER & MORGAN

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22 *Christine E. Peek*
23 COLLEEN DUFFY SMITH
CHRISTINE PEEK

24 Attorneys for Defendant and Cross-
25 Complainant, William Abend, and
Petitioners and Plaintiffs, William M. Abend
and Marcia F. Abend

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1 DATED: January 14, 2008

OFFICE OF THE CITY ATTORNEY

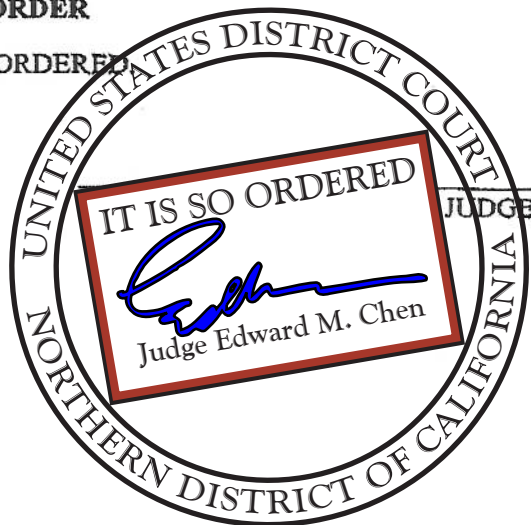

CHARLES E. VOSE
CAROLYN ORTLER

Attorneys for Plaintiff and Cross-
Defendant, City of Oakland, and
Respondents and Defendants, City of
Oakland, et al.

9 ORDER

10 PURSUANT TO STIPULATION, IT IS SO ORDERED

12 DATED: January 15, 2008



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STIPULATION AND JOINT REQUEST TO CONTINUE JANUARY 23, 2008 CMC AND DEADLINE TO FILE
UPDATED JOINT CASE MANAGEMENT STATEMENT: [PROPOSED] ORDER No. C 07-02142 EMC

1 DATED: January __, 2008

OFFICE OF THE CITY ATTORNEY

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CHARLES E. VOSE
CAROLYN ORTLER

Attorneys for Plaintiff and Cross-
Defendant, City of Oakland, and
Respondents and Defendants, City of
Oakland, et al.

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: January __, 2008

UNITED STATES DISTRICT JUDGE